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*Attorney for Plaintiffs*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

11 IEHAB HAWATMEH, individually; )  
12 YASMEEN HAWATMEH, individually; )  
13 LAYTH HAWATMEH, individually; and )  
14 IEHAB HAWATMEH, as Administrator of the )  
ESTATE OF JOSEPH HAWATMEH, )  
deceased, )  
15 Plaintiff, )  
16 vs. )

Case No. 2:22-cv-01786-APG-DJA

## **NOTICE OF APPEAL**

17 CITY OF HENDERSON, NEVADA, a political )  
18 subdivision of the State of Nevada; CITY OF )  
19 HENDERSON POLICE DEPARTMENT, a )  
20 political subdivision of the State of Nevada; )  
21 THEDRICK ANDRES, individually and as a )  
22 policy maker and Chief of CITY OF )  
23 HENDERSON POLICE DEPARTMENT; )  
24 LIEUTENANT THOMAS CHIELLO )  
25 individually and in his official capacity; )  
26 LIEUTENANT JAIME SMITH fka )  
SERGEANT JAIME CLEAR, individually and )  
in her official capacity; SERGEANT SETH )  
VAN BEVEREN, individually and in his )  
official capacity; OFFICER BRETT )  
ANDERSON individually and in his official )  
capacity; OFFICER JESSE HEHN individually )  
and in his official capacity; OFFICER JESSE )  
LUJAN individually and in his official capacity; )  
OFFICER JAMES PENDLETON individually )  
and in his official capacity; OFFICER LUIS )

1 AMEZCUA individually and in his official )  
2 capacity; OFFICER PHILIP DUFFY )  
3 individually and in his official capacity; )  
4 OFFICER SETH PRICE individually and in his )  
5 official capacity; DOE CITY OF HENDERSON )  
6 POLICE DEPARTMENT SUPERVISORS I )  
7 through X, inclusive; ROE CITY OF )  
HENDERSON POLICE DEPARTMENT )  
OFFICERS XI through XX, inclusive, )  
Defendants.)  
\_\_\_\_\_  
)

8 **NOTICE OF APPEAL**

9 Notice is hereby given that Plaintiffs, IEHAB HAWATMEH, individually; YASMEEN  
10 HAWATMEH, individually; LAYTH HAWATMEH, individually; and IEHAB HAWATMEH,  
11 as Administrator of the ESTATE OF JOSEPH HAWATMEH, deceased, hereby appeal to the  
12 United States Court of Appeals for the Ninth Circuit from:

- 13 1. That Order entered on September 18, 2024, granting in part Defendants' Motion  
14 to Dismiss and dismissing Plaintiffs' state law claims without prejudice to filing  
15 them in State Court [ECF #72];
- 16 2. The corresponding Judgment in a Civil Case entered on September 19, 2024 [ECF  
17 #73];
- 18 3. All rulings and interlocutory orders giving rise to or made appealable by any of  
19 the foregoing.

20 DATED this 4<sup>th</sup> day of October, 2024.

21 ROGER P. CROTEAU & ASSOCIATES, LTD.

22 /s/ Roger P. Croteau  
23 ROGER P. CROTEAU, ESQ.  
24 Nevada Bar No. 4958  
25 TIMOTHY E. RHODA, ESQ.  
26 Nevada Bar No. 7878  
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Las Vegas, Nevada 89102  
(702) 254-7775  
*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4<sup>th</sup> day of October, 2024, I served via the United States District Court CM/ECF electronic filing system, the foregoing **NOTICE OF APPEAL** to the following parties:

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Marquis & Aurbach  
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*Attorney for Defendants*

/s/ *Timothy E. Rhoda*  
An employee or agent of ROGER P.  
CROTEAU & ASSOCIATES, LTD.